

Resolutions proposed by members for the DPCA Global Meeting, May 21-22, 2022

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Dear DPCA members and other interested Democrats,

The proposed resolutions included in this report were submitted by DPCA members by the deadline of April 21, 2022 and are therefore eligible for consideration during the upcoming Global Meeting.

The memorial resolution will be included on the agenda. All other resolutions will be evaluated for inclusion and order of priority in the light of the public hearings on May 5.

Primary sponsors of resolutions may change or withdraw their resolution prior to the final report of the Resolutions Committee scheduled for May 14. Once that report becomes available, there will be a Google form available where co-sponsors may indicate their support for individual resolutions.

DPCA Resolutions Committee: Will Bakker (chair), Carol Adamson, Farid Ben Amor, Kent Getsinger, Beverle Lax, Susan Vaillant, and Rick Wicks

Resolution directing Democrats Abroad (DA) to include Veterans and Military Family Members under Representation Goals when electing delegates under future Delegate Selection Plans (DSPs)

Footnotes are available on the DA wiki at <https://democratsabroad.atlassian.net/l/c/3krGLp1w>

Primary sponsor: Mike Nitz (DA Southeast Asia)

Author: Michael Ramos (DA Australia)

Whereas DA Global Veterans & Military Families Caucus membership exceeds 1000, suggesting that there are thousands more DA members who are veterans or military family members, and tens if not hundreds of thousands more living abroad who might join and vote if properly motivated; and

Whereas, every four years, the fifty-seven (57) “state parties” of the Democratic National Committee (DNC), including DA, select delegates to choose the Democratic nominee for President of the United States and conduct other Democratic Party business; and

Whereas each of the DNC’s state parties must formally approve a Delegate Selection Plan (DSP) which in turn must be approved by the DNC prior to the Democratic National Convention; and

Whereas each state party’s DSP requires documented and approved strategies to encourage members who identify as belonging to historically underrepresented groups of Americans to run to represent their state party as delegates at the Convention; and

Whereas DA’s previous DSPs have recognized as historically underrepresented: women; persons of Native American, Hispanic American, African American, or Asian American/Pacific Islander ancestry; and those identifying as non-binary, LGBTQI+, having a disability, or Youth (defined as younger than 36 years old at the time of selection); and

Whereas the DA DSPs in 2008, 2012, 2016, and 2020 did not include representation goals of including veterans and/or military family members;¹ and

Whereas the Colorado, Florida, Idaho, Kentucky, Minnesota, New Mexico, North Carolina, Ohio, Oregon, and Pennsylvania 2020 state-party DSPs did include veterans and/or military family members as part of their representation goals; and

Whereas veterans and military family members have been historically disadvantaged from participating in the American political system because of voting barriers both at home and abroad;² and

Whereas the DA Global Veterans & Military Families Caucus Steering Committee and the DA France Veterans & Military Families Caucus Steering Committee are strongly in favor of DA including veterans and military family members as part of its DSP representation goals; and

Whereas the chair of the DNC Veterans and Military Families Council expressed full support of proposed representation goals that ensure the inclusion of veterans and military families within all Democratic state parties’ DSPs;³

Therefore, Be It Resolved that DA recognizes that veterans and military family members have been historically disadvantaged and underrepresented in the American political system; and

Be It Further Resolved that DA shall include veterans and military family members when establishing numeric representation goals for the election of delegates under future DSPs.

Resolution to Keep the Pershing Hall Collection and the Time Capsule in France as part of its Cultural Patrimony and as a Memorial to American Veterans of World Wars I and II; and that its Oversight be transferred from the DVA to the ABMC

An appendix is available on the DA wiki at <https://democratsabroad.atlassian.net/l/c/3krGLp1w>

Primary sponsor: Joseph Smallhoover (DA France)

Authors: Anna Marie Mattson (DA France) and Bryan Schell (DA France)

WHEREAS DA has always honored the memory and service of the U.S. military and vowed never to forget no matter which war nor which country; and

WHEREAS under the trusteeship of the Dept. of Veterans Affairs, Pershing Hall in Paris was established by the U.S. Congress as a World War I Memorial in 1936 to honor all Americans who fought in WWI (see Appendix); and

WHEREAS Pershing Hall has been highly valued by U.S. veterans of all wars everywhere but has been dishonored by U.S. neglect; and

WHEREAS DA values veterans and military family members throughout the world and needs their votes to win elections; and

WHEREAS taking a stand in support of Pershing Hall and its invaluable collection of artifacts would allow DA to tangibly show its support by honoring the memory and service of veterans and military family members worldwide; and

WHEREAS the American Battlefield Monuments Commission (ABMC), not the Dept. of Veterans Affairs, administers, operates, and maintains 26 permanent American military cemeteries and 32 federal memorials, monuments and markers located in the U.S. and 17 foreign countries, the U.S. Commonwealth of the Northern Mariana Islands, and the British Dependency of Gibraltar;

THEREFORE BE IT RESOLVED that the DPCA instructs the International Chair in conjunction with the DA Global Veterans and Military Families members to write their Congress members as well as the House and Senate Veterans' Affairs Committees and the Department of Veterans Affairs (DVA) demanding that in compliance with earlier U.S. commitments to veterans, oversight of the Pershing Hall Memorial be transferred from the DVA to the American Battlefield Monuments Commission (ABMC) and that the entire Pershing Hall collection, including the time capsule and its contents, remain in France and be restored as part of the cultural and historical patrimony of all U.S. veterans and as a pilgrimage site for their descendants.

Resolution in support of Establishment of Democrats Abroad Global Gender-Based Violence Task Force

Appendices are available on the DA wiki at <https://democratsabroad.atlassian.net/l/c/3krGLp1w>

Primary sponsor: Heather Stone (DA Israel)

Author: Marnie Delaney (DA France)

Whereas: There are an estimated 9 million Americans living abroad and approximately 100 million Americans travel abroad each year, and

Whereas: Gender-based violence (see appendix) impacts millions of individuals across the globe every year with disproportionate impacts on women of color, people with disabilities, women and their children, female service members, students, and LGBTQ+ individuals, and

Whereas: Support for U.S. citizens subjected to violence outside the United States - if such support exists - may not be easily identified or accessed, and

Whereas: U.S. Government resources available to provide assistance to those subjected to gender-based violence are limited and typically allocated for domestic programs, and

Whereas: The only non-profit organization created specifically to provide support to American victims of violence overseas - Pathways to Safety International (PTSI), which offered an internationally-accessible 800 number available 24/7/365 backed by trained case managers - lost government funding in 2019, and

Whereas: There is insufficient awareness among the public, the administration, and Congress of the gaps in policy, practices and programs to support the needs of U.S. citizens experiencing gender-based violence while abroad, and

Whereas: There is similar lack of awareness among Americans living and traveling abroad, and

Whereas: The mission of Democrats Abroad includes involvement in issues of importance to U.S. citizens abroad, including violence against women (see appendices), and

Whereas: In 2021 DA's Global Women's Caucus - under the direction of the DA ExCom - established the Women Safe Abroad Project which has already catalogued the experiences and needs of Americans abroad subject to gender-based violence, and

Therefore, let it be resolved that Democrats Abroad will establish - under the direction of the DA ExCom - a Gender-Based Violence (GBV) Task Force to advocate for Americans abroad subject to gender-based violence, and

Let it be further resolved that the GBV Task Force will report its activities quarterly to the DA ExCom.

Resolution in support of a Wealth Tax

Primary sponsor: Ed Ungar (DA Canada)

Whereas a wealth tax could raise trillions of dollars by fairly taxing the ultra-rich and DA would thus favor it in principle; and

Whereas President Biden’s proposed budget contains what New Yorker magazine calls “a form of wealth tax”; and

Whereas there is overwhelming (about 90%) support for a wealth tax (i.e., a tax on wealth) among Democrats in Congress; and

Whereas DA has long sought change from Citizenship-Based to Residence-Based Taxation in order to simplify or eliminate tax-filing and financial-reporting requirements for Americans abroad; and

Whereas it’s not clear how such a change would affect imposition of a wealth tax;

Therefore be it resolved that the DA Taxation Task Force will consult administration policy advisors regarding whether change to Residence-Based Taxation would interfere with implementation of a wealth tax, in the process making clear to them the burdens of current tax-filing and financial-reporting requirements on Americans abroad and their effect on those Americans voting (or not).

Resolution to Catalogue Our “Standing Resolutions”

A footnote is available on the DA wiki at <https://democratsabroad.atlassian.net/l/c/3krgLp1w>

Primary sponsor: Ada Shen (DA France)

WHEREAS Resolutions concerning internal governance of the DPCA often have a lasting effect or relevance to the DPCA beyond any given year or election cycle;

WHEREAS, as the organization grows and changes over time, more leaders will become dependent upon such vital shared knowledge resources as the DA Wiki, where all Resolutions history currently resides, but such resources are themselves a product of our collective volunteer care, attention, and processes;

WHEREAS the current Resolutions section of the DA Wiki, while comprehensive in its organization of previous Resolutions (thank you Wiki team), requires new leaders to read through all previous Resolutions in order to try to find Resolutions which might be considered “Standing”, or having a lasting effect or relevance currently;

WHEREAS this creates a problem in that it creates greater dependency on individuals to remember whether something was passed or not in previous years, what it said, and/or where to find the resolution;

WHEREAS mortality and humility remind us that depending on individuals to remember things about stuff can also be fallible for us as an institution with the passing of time;

THEREFORE BE IT RESOLVED

Standing Resolutions shall be defined as those resolutions designed or intended to have a lasting affect on how the DPCA governs itself;

Past Standing Resolutions shall be identified by a volunteer Standing Resolutions archive team* to review past resolutions and separately list those which meet this definition;

All Standing Resolutions so listed should then be numbered uniquely and consecutively, with new Standing Resolutions added accordingly, also uniquely and consecutively, as they are passed;

The Standing Resolutions list shall be maintained in its own section of the DA Wiki (or whatever knowledge base or platform being used by Democrats Abroad), in such a fashion that future DPCA leaders and Wiki users can easily find them;

As this project is not urgent and 2022 is an election year, the aforementioned should simply be completed by the next Annual General Meeting, in time to accommodate the 2023 Resolutions process;

This resolution is itself a Standing Resolution and if passed should also be uniquely and consecutively numbered as such.

Resolution in Support of Statehood for Washington, D.C.

Footnotes are available on the DA wiki at <https://democratsabroad.atlassian.net/l/c/3krGLp1w>

Primary sponsor: Adrienne Johnson (DA United Kingdom)

Authors: Adrienne George (DA Sweden), Alan Cheilek (DA United Kingdom)

Whereas – under the District Clause of the Constitution (Article 1, Section 8, Clause 17) – the Residence Act of 1790 approved the establishment of the capital district that became Washington, D.C.;¹ and

Whereas inhabitants of that area already had the constitutional right to voting representation in Congress as part of Maryland or Virginia (out of which the District of Columbia was carved); and

Whereas the Organic Acts of 1801 and 1871 disenfranchised residents of the District by eliminating their voting representation in Congress and the Electoral College as well as their voice in Constitutional amendments and their right to home rule including control over local courts; and

Whereas Congress continues to exercise authority over local affairs, reviewing, modifying, or even overturning the District’s democratically enacted laws and budgets, sometimes imposing new and unwanted laws;² and

Whereas – with the passage of the 23rd Amendment in 1961 – District residents regained the right to vote for President and Vice President and to have those votes count in the Electoral College, followed by the addition of a single non-voting representative in the House of Representatives in 1971, but they have yet only an unrecognized shadow “representative” in the Senate;³ and

Whereas District residents have defended the United States in every war and share all the responsibilities of U.S. citizenship including service on federal juries and paying more federal taxes in total than their counterparts in 22 states;⁴ and

Whereas American democracy systematically overrepresents White voters at the expense of Black and Brown voters, while the District is historically a majority Black city and Black people still make up 47% of the population;⁵ and

Whereas the District has over 700,000 residents, comparable to Alaska and North Dakota, more than Vermont or Wyoming; and

Whereas the District – while also performing the functions of a city and a county – operates as a state and is treated as such in more than 500 federal laws;⁶ and

Whereas the District is the only political entity on U.S. soil whose residents have been continuously denied the right both to self-governance and participation in the national legislature; and

Whereas D.C. Mayor Muriel Bowser and the New Columbia Statehood Commission decided to pursue statehood through the “Tennessee Plan” – in which the prospective state’s electorate votes on statehood and ratifies a constitution, without an enabling act from Congress, and then uses this

as a basis to petition Congress for admission – a path that has previously been used successfully by Michigan, Iowa, California, Oregon, Kansas, and Alaska;⁷ and

Whereas District voters established borders including only residential and commercial areas while excluding a smaller federal district⁸ constituting the seat of the U.S. Government,⁹ protecting the status of the federal government – as required by the U.S. Constitution – as existing outside any state, and countering arguments that the 23rd Amendment prohibits the admission of D.C. as a state;

Whereas – prior to filing an enabling act with Congress – District voters:¹⁰

- Affirmed their desire to become a state when the Washington, D.C. Statehood Referendum passed with 86% of the vote in 2016;¹¹ and
- Ratified a constitution committed to a republican form of government for the “State of Washington, D.C.” (D.C. meaning Douglass Commonwealth), also approved by the D.C. Council in 2016;¹² and

Whereas the House passed H.R. 51, the Washington D.C. Admission Act, in April 2021, and President Biden has strongly supported the proposal;¹³ and

Whereas the Senate is yet to pass S. 51, the Washington D.C. Admission Act, introduced in January 2021 by Sen. Thomas R. Carper (D-DE); and

Whereas we Democrats believe in the right to representation in our government and this issue can motivate even voters who don’t vote in the District;

Therefore Be It Resolved that DA supports the admission of Washington, Douglass Commonwealth as the 51st state into the United States of America; and

Be It Further Resolved that DA urges the Senate to pass S. 51, the Washington D.C. Admission Act, or to enact other federal legislation granting autonomy and statehood to the District of Columbia; and

Be It Further Resolved that DA calls on its leaders

- to educate our members about the District’s lack of democratic representation and local autonomy;
- to provide resources enabling them to contact their Senators in support of D.C. statehood; and
- to encourage them to activate their U.S. networks to support D.C. statehood; and

Be it Further Resolved that Democrats Abroad show we are on the right side of justice, aim to extend voting, and thus human rights to all Americans, and otherwise reduce the number of 2nd class citizens. D.C. statehood transcends the proposed Douglas Commonwealth; and

Be It Further Resolved that the DA International Chair is hereby authorized and directed to transmit copies of this resolution to the Democratic National Committee and the Majority and Minority leaders of the Senate.

Memorial Resolution Honoring Jim Christiansen of DA France

Primary sponsor: Ada Shen (DA France)

On April 8, 2022, Democrats Abroad France lost our dear friend and longtime local activist Jim Christiansen.

Jim was 69 years of age. He had been diagnosed with colon cancer two years ago, but nevertheless continued to be very active and engaged in the things that mattered to him.

Jim had lived in Paris since 1989, traveling frequently as a management consultant specialized in innovation and change management. His background and experience made him well-suited to grasping complex issues quickly while driving towards concrete, pragmatic actions that could make a difference. Most recently, Jim was working to develop a method for large-scale removal of methane from the atmosphere — methane being 80 times more powerful as a greenhouse gas than carbon dioxide.

We in Democrats Abroad France were fortunate to have had Jim’s passionate, tireless support in environmental, energy, and climate-policy issues, as well as in economics, healthcare, and social justice — in short, the kinds of transformational change synonymous with progressive politics that many of us fight to make mainstream. He was an early supporter and advocate for the policies of Senator Bernie Sanders, being active as well with France for Bernie and Our Revolution France. A warm, kind, and compassionate internationalist, he will be dearly missed.

Since 2008, Jim was active in DA France’s environmental policy group — along with Connie Borde, Diana Powers, Barbara Tucker, Cara Maesano and others — which sought to influence U.S. political opinion and policy dialogue on climate change mitigation and adaptation, from France.

Jim’s experience helped DA France leaders shape their political response to the 2016 and 2020 elections. He also generously contributed his expertise and energy as part of the 2020 Global Platform Committee, where Jim served as lead editor of the Environment and Climate Crisis policy planks.

In the last two years, Jim became a DPCA Voting Representative for DA France and also served on the steering committee for the newly formed DA Global Environment & Climate Crisis Council, as well as supporting the relaunch of the DA France Environment, Energy, and Climate policy group. He also helped found DA Paris’ “Walk n Talk” group which continues to meet regularly to explore on foot the magnificent city he called home.

Jim was equally able to deal with the profound, the complex, and the political, while still being present for the simplest of joys — observing the changing of the seasons, sharing familiar paths with friends new and old. His passion for progressive change, his wise counsel, and his kindness and compassion will be missed but not forgotten.

He is survived by his daughter Gwen, his son-in-law Kevin, and granddaughter Enora who live in Toulouse, and his brother Ken and extended family in the USA.

Our deepest sympathies go out to his friends and family around the world.

Resolution on the Climate Emergency

Footnotes and the link noted below are available on the DA wiki at <https://democratsabroad.atlassian.net/l/c/3krGLp1w>

Primary sponsor: Dana Freling (DA Finland)

Authors: Inge Kjemtrup (DA United Kingdom), Dash Nesbitt (DA Germany), Angela Fobbs (DA Germany), Bruce Murray (DA Austria)

WHEREAS the issue of the climate crisis affects Americans abroad and everyone on the planet, as detailed in the recent Intergovernmental Panel on Climate Change (IPCC) report¹, which states that global warming, exceeding 1.5°C above pre- industrial levels by 2025, would cause unavoidable increases in multiple climate hazards and present manifold and irreversible risks to ecosystems and humans²; and

WHEREAS Democrats Abroad mission statement mentions “raising the awareness of issues that concern Americans abroad” as a way to grow membership³; and

WHEREAS Democrats Abroad members and potential members live all over the planet and personally experience all facets of the growing climate crisis; and

WHEREAS many young people, in particular, consider climate change the most critical issue facing the world today; and

WHEREAS there has been a call for a national climate emergency in Congress, Climate Emergency Act (H.R.794) [2/4/2021]; and

WHEREAS Senator Cory Booker’s Environmental Justice Act of 2021 (S.2630) [08/05/2021]⁴, would require agencies to address and mitigate the disproportionate impact of environmental and human health hazards on communities of color, indigenous communities, and low-income communities resulting from agencies' programs and policies⁵; and

WHEREAS a growing number of Americans understand the urgency of the climate crisis and support policies that address climate change⁶ through mitigation and adaptation by curbing carbon emissions and contributing financial resources to the developing world to alleviate energy poverty and adapt to the impacts of climate change, as affirmed in the Paris Climate Accord⁷; and

WHEREAS the Democrats Abroad website currently lists as priorities Covid-19, Diversity, Equal Rights Amendment, Medicare Portability, Reparations, Taxation, Voting; and

WHEREAS the issue of the climate crisis was woven into multiple strands of the 2020 DA Platform but not emphasized in a separate plank⁸; and

WHEREAS the creation of the Democrats Abroad Environment and Climate Crisis Council (DA ECCC) acknowledges the concerns of the leaders and members of Democrats Abroad about this crucial issue;

THEREFORE, BE IT RESOLVED that the “Climate Emergency” be added to the Democrats Abroad list of priorities (both online and in fact)⁹; and

BE IT FURTHER RESOLVED that the National Climate Emergency Petition [*link available on DA wiki*] 2022- drafted by Democrats Abroad Environment & Climate Crisis Council- will be disseminated to DA’s membership with results submitted to the Biden-Harris Administration (offices of the President, Vice President) as well as Congress by June 30th, 2022; and

BE IT FURTHER RESOLVED that the 2024 Democrats Abroad platform should have an updated and strengthened climate crisis and environmental justice plank.

Resolution to Establish a Standing Voter Protection Committee

Footnotes are available on the DA wiki at <https://democratsabroad.atlassian.net/l/c/3krGLp1w>

Primary sponsor: *Martha McDevitt-Pugh (DA Netherlands)*

Authors: *Adrienne George (DA Sweden), Maya Buchanan (DA United Kingdom)*

Introduction

With voter suppression on the rise, the votes of Americans abroad are increasingly at risk. Since 2018, Democrats Abroad has developed voter protection strategies and processes to ensure that overseas voters are able to access and vote their ballot. A standing Global Voter Protection Committee would ensure that DA is prepared in each election cycle to protect overseas voters in the face of egregious efforts to undermine voting, and would forward a robust and inclusive democracy.

- A. WHEREAS key indicators show that democracy is in decline around the world, and has always been under siege and in need of protection¹;
- B. WHEREAS Democrats Abroad (DA) fulfills its core mission through providing support to American citizens living abroad to vote, and is the only global organization with a full spectrum of support for voters abroad, from ballot request to the counting and curing of ballots by local election officials;
- C. WHEREAS the millions of Americans living abroad who can vote can face challenges in exercising that vote because of the unique aspects of overseas voting, no matter which state they vote in, including purging of voter rolls², unresponsiveness of local election officials, difficulty accessing ballots, being given incorrect information, postal issues causing ballots to be lost, delayed or returned to sender, and geoblocking of voter information and ballot download websites³;
- D. WHEREAS laws to restrict or suppress voting have flourished since the 2013 Shelby County v. Holder decision⁴, manifesting as canceling the votes of minority communities who have been denied the rights of citizenship and existence, as well as the votes of women, poor people, youth, students, the elderly and the disabled;
- E. WHEREAS the aim of voter suppression is for a minority of the electorate to prevail by selectively denying democratic access to the majority, canceling enough votes to win elections or make them close enough to challenge in court and overturn;
- F. WHEREAS it is up to the Democratic Party and its voters to safeguard and preserve American democracy, as President Biden warned in July 2021: “We’re going to face another test in 2022: a new wave of unprecedented voter suppression, and raw and sustained election subversion. We have to prepare now.”⁵

- G. WHEREAS the Democratic Party established a Civic Engagement and Voter Protection department in 2018 to respond to the organized suppression of the right to vote, and in 2021 encouraged all state parties to establish a dedicated Voter Protection function;
- H. WHEREAS In 2018, in response to issues reported by voters following the general election, Democrats Abroad mobilized its first global Voter Protection team to
- track voter protection issues impacting voters abroad;
 - survey the voting experience of Democrats Abroad members in voter suppression states (GA, FL and AZ);
 - work with state parties, the DNC, and civil society voting rights groups in the United States to protect the vote of US citizens abroad.
- I. WHEREAS in 2020, the Democrats Abroad Global Voter Protection team⁶
- assisted overseas voters who had failed to access their ballots, handling more than 500 cases;
 - surveyed members and assist voters with issues to follow through to obtain a ballot, rather than give up;
 - reported on emerging issues and trends impacting those who vote from abroad;
 - supported DA Voter Assistance and GOTV teams⁷;
 - engaged DA members to fight voter suppression, demand voting rights and mitigate voter disempowerment;
 - implemented an effective escalation process to obtain assistance from state party Voter Protection teams;
 - provided testimony that contributed to a 2020 injunction on USPS Postmaster DeJoy⁸;
 - contributed to Amicus briefs in support of the rights of overseas voters in Pennsylvania in 2020, leading to upholding additional drop-off sites, lifting of signature-matching requirement, rescinding of a ban on out-of-county poll workers⁹.
- J. WHEREAS a globally coordinated DA Voter Protection function and escalation process to Democratic State Parties has enabled DA to be efficient and play a coordinating role across jurisdictions, thus minimizing the burden on Democratic State Parties, contributing to strong and effective state party relationships;
- K. WHEREAS Democrat Abroad's State Teams include a Voter Protection function and lawyers to support resolving cases, a dedicated global Voter Protection function would support State Teams in identifying and responding to trends, as well as provide Voter Protection support to voters in states where DA does not have a State Team;

THEREFORE BE IT RESOLVED THAT Democrats Abroad shall establish a standing Global Voter Protection Committee with the mission to make all efforts to ensure that overseas Americans from all 50 states, the District of Columbia and territories are able to exercise their right to vote;

AND BE IT FURTHER RESOLVED THAT the Global Voter Protection Committee shall

- support Voter Protection leads in DA State Teams to coordinate and deploy methods to address voter issues that are beyond the scope of DA's front line voter assistance volunteers;
- follow an effective and efficient central process to escalate cases to state party Voter Protection teams when DA has exhausted its own means to support a voter to obtain and vote their ballot;
- survey Americans abroad about their voting experience, collect voter data and analyze and report on voter protection in accordance with DA data protection best practices and guidelines;

AND BE IT FURTHER RESOLVED THAT the Democrats Abroad Voter Protection Committee shall be comprised of

- a chair appointed by the Democrats Abroad Chair;
- a steering committee appointed by the Voter Protection Committee Chair;
- volunteers and teams to carry out the activities of the Committee.

AND BE IT FURTHER RESOLVED THAT Democrats Abroad will promote the capabilities of the Voter Protection Committee among its members and the wider overseas American community to ensure that voters know where to turn if they experience voting problems which they are unable to address via standard channels.

Resolution Supporting the Repeal of the Foreign Account Tax Compliance Act (FATCA)

Footnotes are available on the DA wiki at <https://democratsabroad.atlassian.net/l/c/3krgLp1w>

Primary sponsor: Nick Lee (DA Netherlands)

Author: Rebecca Lammers (DA United Kingdom)

WHEREAS the Foreign Account Tax Compliance Act (FATCA) was passed in 2010 as part of the HIRE Act, promised by the Congressional Joint Committee on Taxation to raise \$8.7 billion dollars in revenue by preventing tax evasion through the use of “offshore” accounts

WHEREAS the current position of Democrats Abroad (DA), according to the DPCA-approved 2020 Platform, is to support a FATCA same-country exception

WHEREAS banks and financial institutions in the countries where an estimated 9 million overseas Americans reside routinely cite FATCA as justification for policies that categorically limit or deny services on the basis of U.S. citizenship or tax residency

WHEREAS the non-partisan Government Accountability Office (GAO) released a report in 2019¹ in which it discusses actions needed to Mitigate Burdens on U.S. Persons Abroad in relation to Foreign Asset Reporting [under FATCA]

WHEREAS the non-partisan U.S. Treasury Inspector General for Tax Administration (TIGTA) issued an alarming report in April 2022² noting that despite \$574 million in taxpayer dollars spent since 2010 implementing FATCA, FATCA has raised only \$14 million in additional revenue; a 97.5% loss on investment, and only 0.16% of the lost tax revenue that it was projected to raise

WHEREAS that same government report noted that inaccurate data, a lack of cooperation by foreign governments and an inability by banks to collect required information have together resulted in the Internal Revenue Service being unable to validate 45% of the 37.2 million bank account reports received since FATCA was enacted

WHEREAS an over-burdened and underfunded Internal Revenue Service has admitted in written Congressional testimony³ that it lacks the ability to review or act on FATCA reports

WHEREAS proposals for a domestic bank account reporting regime within the United States were rightfully excluded in 2021⁴ due to concerns about disproportionately high costs, low efficacy and it violating the right of U.S. citizens to privacy

WHEREAS the financial access issues caused by FATCA have correlated with sharp increases in citizenship renunciations⁵, continued litigation, and condemnation by respected international bodies such as the European Union Parliament

WHEREAS DA formed the FBAR/FATCA Task Force in 2011 following the passage of FATCA to investigate its impact on Americans Abroad

WHEREAS the task force is now known as the Taxation Task Force and is engaged in advocacy related to the disproportionate penalties associated with the Report of Foreign Bank & Financial Accounts (FBAR), the unintended problems created by FATCA, and the unintended consequences of extraterritorial taxation of non-resident citizens

WHEREAS despite intense advocacy and targeted reform recommendations for over a decade, financial access issues have persisted or worsened according to research by both DA and third parties

WHEREAS the Taxation Task Force steering committee supports this resolution

WHEREAS the U.S. rejection of the internationally used Common Reporting Standard (CRS), and the lack of reciprocity on FATCA in conjunction with a lack of beneficial interest transparency, have positioned the United States as a world leader⁶ in offshore banking secrecy (for non-Americans)

WHEREAS this lack of reciprocity has been criticized by governments of notable allies of the United States, including those of Belgium, France, Luxembourg and the Netherlands; additionally by the European Union Commission, the European Council and the European Parliament

WHEREAS the proposal for the Treasury to collect and transmit US bank account information, though necessary to reduce the USA's role as a tax haven, poses substantial risks to the ability of Americans abroad to bank with U.S.-based financial institutions on whom they depend for financial services that may be denied to them in their country of residence

WHEREAS government data clearly and repeatedly show that FATCA provides minimal benefit despite substantial government costs and tangible harm to the estimated 9 million Americans residing abroad

WHEREAS DA expresses support for narrowing the tax gap by fighting tax avoidance, less harmful alternatives could be appropriately targeted to finding U.S. residents holding offshore accounts rather than ordinary Americans abroad who are banking locally

WHEREAS in DA's latest research of 2019, out of 9,363 responses from Americans abroad, 5,561 respondents (59.4%) stated they supported a repeal of FATCA⁷.

WHEREAS DA must continue to show leadership on issues that impact Americans Abroad and promoting candidates who will deliver results

BE IT RESOLVED that the Democratic Party Committee Abroad (DPCA, Democrats Abroad) supports the repeal of FATCA, the Foreign Account Tax Compliance Act, in its entirety

BE IT FURTHER RESOLVED that the DPCA encourages consideration of more proportionate policies aimed at deterring tax evasion by high-net-worth individuals that do not cause further unintended harm to everyday Americans living abroad

BE IT FURTHER RESOLVED that DA reaffirms its support for a FATCA same-country exception or other financial access protections pending the repeal of FATCA

BE IT FURTHER RESOLVED that DA reaffirms its strong support for the Commission on Americans Living Abroad Act, first introduced in the 112th Congress and reintroduced in every Congress since, due to its requirement for a bipartisan study of how U.S. laws, including FATCA, affect U.S. citizens residing in foreign countries

BE IT FURTHER RESOLVED that Democrats Abroad reaffirms that a transition to Residency Based Taxation is urgently needed and would address the bulk of tax issues faced by Americans abroad while being, if correctly implemented, resistant to abuse and compatible with progressive tax policies.

Resolution to establish a Special Committee on Legal Compliance Strategies

Primary sponsor: Julia Bryan (DA Czech Republic)

Authors: Dani Follett (DA France), Wen-Wen Lindroth (DA United Kingdom), Patti Shields (DA Ireland), Joseph Smallhoover (DA France)

WHEREAS Democrats Abroad recognizes that all those who participate in the organization, whether as leaders, members, or donors, are of one aim in seeking to achieve our mission, while complying with the legal obligations in all jurisdictions to which we are subject.

WHEREAS Democrats Abroad acknowledges that Country Committees and their leaders are subject to the laws that govern the country in which they and their members are located.

WHEREAS Democrats Abroad values and respects the grassroots volunteers who make up the leadership of each Country Committee, whose time is necessarily limited, and needfully focused on achieving our mission.

WHEREAS Democrats Abroad recognizes that the European Union's General Data Protection Regulation (GDPR) and similar rules in many other jurisdictions, are an integral part of the privacy policies and operations of the DPCA and the several Country Committees, and must be taken into account when considering the applicable requirements for collecting and reporting the personal data of donors and handling personal data of our members.

WHEREAS Democrats Abroad acknowledges that the status of Country Committees under US federal campaign finance law and compliance obligations of the DPCA and the Country Committees under these laws are not simple questions, nor are they answered directly by the Federal Election Campaign Act, Federal Election Commission regulations, administrative decisions, or case law.

WHEREAS Democrats Abroad recognizes that the legal constraints and operational needs of Country Committees are significantly different depending on the size of the Country Committee, the scope of their activities, and the unique social and legal circumstances of their host countries, and that the creation of a successful legal compliance strategy must be founded on a working knowledge of these.

WHEREAS Democrats Abroad recognizes that the task of fashioning a series of inter-related legal compliance strategies for a multinational association is an extremely complex and time consuming task that threatens to distract us from our core mission and can be best addressed through the mechanism of a committee.

WHEREAS understanding the complex operational needs and legal constraints of our incredibly diverse body of chapters, country committees, and the global organization itself, requires a group of members with appropriate expertise and hands-on experience in these many different arenas.

WHEREAS due to the significant complexity and ambiguity of these various regulations, it is now recognized that it is incumbent upon the DPCA and the members of its Executive Committee to work together to develop appropriate and proportionate compliance strategies that

maintain the health, vitality and legality of Democrats Abroad as an institution and protect its volunteers and leaders, while taking all reasonable efforts to minimize the resulting time burdens imposed upon the grassroots volunteers who are the backbone, heart, and soul of the organization.

THEREFORE
BE IT RESOLVED THAT,

The DPCA now establishes a Special Committee on Legal Compliance Strategies as detailed below:

1. Composition of the Committee. The committee shall be constituted of 12 members of Democrats Abroad, appointed by the authorities designated in Paragraph 2, and selected as follows:
 - a. Three, each residing in a different Region of DA who holds (or has held) a Country Committee-wide elected office and has significant knowledge of Country Committee operations in their Region (Seats 1-3);
 - b. One who is an experienced legal practitioner in the field of US campaign finance law (Seat 4);
 - c. One who is an experienced legal practitioner in the field of multinational data protection law (Seat 5);
 - d. One who has a deep familiarity with the technical operation and capability of the online and data management platforms of Democrats Abroad (Seat 6);
 - e. One drawn from the non-ex officio members of the DA delegation to the DNC (being the six members directly elected in accordance with Section 7.2 of the Democrats Abroad Charter, hereinafter the “Directly Elected DNC Members”) (Seat 7);
 - f. Four additional persons with strong knowledge and experience of Country Committee operational requirements in Country Committees of differing sizes, drawn from members in the Country Committee Groups defined in Schedule 1 of this Resolution as follows:
 - i. One member of a Group A Country Committee (Seat 8);
 - ii. One member of a Group B Country Committee (Seat 9);
 - iii. One member of a Group C Country Committee (Seat 10);
 - iv. One member of a Group D Country Committee (Seat 11); and
 - g. The International Chair shall ex officio be a voting member of this committee (Seat 12);
 - h. PROVIDED THAT no more than two (2) members of the DPCA Executive Committee may serve on this committee.

2. Appointing Authorities, Appointments, Vacancies, and Resignations.

- a. Seats 1-6 shall be appointed by the DPCA (or if the DPCA is out of session at the time of the vacancy by the DPCA Executive Committee).
- b. Seat 7 shall be elected by the Directly Elected DNC Members at a special meeting called for that purpose by any two of them.
- c. Seats 8-11 shall be elected by members occupying Seats 1-7 at a meeting called for that purpose by any two (2) of those electors.
- d. Seat 12 is occupied ex officio by the International Chair.
- e. Upon the adoption of this Resolution, the DPCA shall promptly designate committee members for Seats 1-6. If any such Seat remains unfilled upon the adjournment of this meeting, the Seat shall be considered vacant and filled accordingly.
- f. The Directly Elected DNC Members shall meet within 14 days of the adoption of this resolution to designate the member for Seat 7.
- g. The committee shall meet to designate members for Seats 8-11 as described in Paragraph 3.
- h. Upon the vacancy of any of the Seats described above, the relevant appointing authority shall designate a replacement within 21 days.
- i. The relevant appointing authority shall notify the International Secretary of each appointment made.
- j. Any person resigning from the committee shall notify the committee itself, the International Secretary, and the relevant authority that appointed them.

3. Operating Rules

- a. Notice of Meetings. Committee meetings (including the first meeting described below) may be called by any two (2) members on not less than 14 days' notice.
- b. Quorum. Quorum for an election to fill any of Seats 8-11 shall be any three (3) of the electors occupying Seats 1-7. In all other matters, quorum for the committee shall be any six (6) members.
- c. Chair. At the commencement of each meeting the committee shall elect a chair for the duration of that meeting in accordance with Robert's Rules.
- d. First meeting. The first meeting of the committee shall take place no later than 35 days after the adoption of this Resolution upon a call issued no sooner than 14 days after the adoption of this Resolution by any two (2) members in Seats 1-7. The first order of business for the first meeting shall be to use all reasonable efforts to fill Seats 8-11 of the committee.
- e. Second and Subsequent Meetings. Following the conclusion of the first meeting, subsequent regular meetings shall be convened as scheduled by the committee and special meetings may be convened on the call of any two (2) members.

4. Subject Matter. The committee's work shall focus on matters relating to compliance with law and regulation that could materially limit or affect the manner in which Democrats Abroad is able to operate (the "Subject Matter") including:
 - a. US federal campaign finance law;
 - b. Host country data protection laws (including without limitation GDPR);
 - c. Host country laws concerning governance of Country Committee entities (whether or not recognized as a separate legal person);
 - d. Host country tax laws applicable to Country Committee activities (including VAT, GST, and similar taxes);
 - e. Host country banking rules and practices; and
 - f. Informal host country practices that create political risk to Country Committee leadership or members.

5. Work Program. The committee shall:
 - a. Review existing advice received by Democrats Abroad from outside counsel concerning the Subject Matter;
 - b. Review existing advice received by Democrats Abroad from inside counsel concerning the Subject Matter;
 - c. Survey the Country Committees to obtain information concerning their best understanding of their own host country Subject Matter laws and regulations;
 - d. Survey the Country Committees to obtain a better understanding of how host country Subject Matter laws and regulations limit their freedom of operation;
 - e. Survey the Country Committees to obtain a better understanding of how US Subject Matter laws and regulations limit their freedom of operation;
 - f. Review various strategies for compliance suggested by counsel with respect to the various Subject Matter laws and regulations;
 - g. Recommend to the DPCA a blend of compliance strategies with respect to the Subject Matter;
 - h. Recommend to the DPCA and to the several Country Committees such changes to the organization, activities, composition, and Charter of Democrats Abroad as may be desirable to carry out the recommendations above; and
 - i. Monitor the implementation of the compliance strategies and report to the DPCA with observations on the impact of these compliance strategies on the operational effectiveness of Democrats Abroad, along with its recommendations on adjustments that may be necessary or desirable.

6. Goal for Recommendations. In making its various recommendations, the committee shall use its best efforts to find a blend of legal compliance strategies that:
 - a. protect the interests of Democrats Abroad members, volunteers, donors and leaders;
 - b. protect and preserve the vitality of Democrats Abroad; and
 - c. limit operational burdens imposed upon leaders and volunteers to the greatest extent practicable.
7. Scope of Authority.
 - a. The committee is a working group established to carry out the work program described above.
 - b. The committee may at its discretion request information from, and provide information to, the International Officers, the Country Committees, individual members, and external experts. Members of Democrats Abroad should use reasonable efforts to assist the committee in the production of such information.
 - c. The committee has no authority to adopt or impose rules upon Democrats Abroad, the DPCA, or any Country Committee, nor is it empowered to act as an agent of, or to make any representations on behalf of any of them.
8. Deliverables.
 - a. First report. The committee shall report its findings and recommendations to the DPCA no later than 31 March 2023. It is anticipated that this report will focus on the selection and implementation of various compliance strategies.
 - b. Second report. The committee shall report its second set of findings and recommendations to the DPCA no later than 30 November 2023. It is anticipated that this report will focus on adjustment and refinement of such strategies.
 - c. Final report. The committee shall make a final report to the DPCA at the 2024 DPCA meeting for the regularly scheduled election of International Officers.
 - d. Additional Reports. The committee may make additional reports to the DPCA at its discretion, before or after the reports described above.
 - e. Minority reports. Members of the committee shall have the right to include written minority reports within any report submitted by the committee.
9. Conclusion of Committee. The committee shall cease to exist upon the closing gavel of the 2024 DPCA meeting for the regularly scheduled election of International Officers.
10. Transnational Committees. The use of the term “Country Committee” in this Resolution shall be interpreted to refer to both Country Committees and Transnational Committees (as defined in the Democrats Abroad Charter).

SCHEDULE 1: Definition of Country Committee Groups

For use in Paragraph 1(f).

1) The Group identified below:	2) ... is composed of Country Committees whose individual confirmed member count, expressed as a percentage of the confirmed global member count (without rounding), is:		3) Number of CCs in this Group	4) Total membership of CCs in this Group, expressed as a percentage of global membership
	2a) greater than...	2b) AND less than or equal to...		
Group A	zero	1.000%	30	12.9%
Group B	1.000%	2.000%	11	14.8%
Group C	2.000%	4.000%	7	19.4%
Group D	4.000%	n/a	5	49.1%
*SUBTOTAL:			53	96.2%
Members living outside a Country Committee			0	3.8%
**TOTAL:			53	100.0%

GROUP MEMBERS

Group A: Argentina, Brazil, Chile, Colombia, Costa Rica, Czech Republic, Dominican Republic, Ecuador, Finland, Greece, Guatemala, Haiti, Hong Kong, Hungary, India, Indonesia, Kenya, Luxembourg, Nicaragua, Panama, Peru, Philippines, Portugal, Romania, Russian Federation, Singapore, South Africa, Taiwan, Ukraine, Viet Nam

Group B: Austria, Belgium, China, Denmark, Ireland, Israel, New Zealand, Norway, South Korea, Thailand, United Arab Emirates

Group C: Australia, Italy, Japan, Netherlands, Spain, Sweden, Switzerland

Group D: Canada, France, Germany, Mexico, United Kingdom

Data from 2022 Certified Membership count.